**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4603**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hartnett and Pope

Companion/Similar bill(s): 4605

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Introduced in the House on January 9, 2024

Currently residing in the House Committee on **Judiciary**

Summary: Reckless endangerment

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 11/16/2023 House Prefiled

 11/16/2023 House Referred to Committee on **Judiciary**

 1/9/2024 House Introduced and read first time (House Journal‑page 96)

 1/9/2024 House Referred to Committee on **Judiciary** (House Journal‑page 96)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4603&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[11/16/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4603_20231116.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16‑3‑65 SO AS TO CREATE THE OFFENSE OF RECKLESS ENDANGERMENT, DEFINE NECESSARY TERMS, AND PROVIDE A PENALTY FOR THE OFFENSE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 3, Title 16 of the S.C. Code is amended by adding:

 Section 16‑3‑65. (A) For the purposes of this section, the term:

 (1) “Firearm” means a weapon which is designed to or readily may be converted to expel a projectile by the action of an explosive.

 (2) “Great bodily injury” means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss of impairment of the function of a bodily member or organ.

 (3) “Motor vehicle” means every vehicle which is self‑propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires but not operated on rails.

 (4) “Recklessly” means the wanton and wilful disregard of a substantial and unjustifiable risk of such a nature and degree that the disregard involves gross deviation from the standard of conduct a law‑abiding person would observe. “Reckless endangerment” is more than an act after a mere failure to exercise due care. The violation of an applicable statute does not amount to reckless endangerment per se; awareness of the unjustifiable risk and conscious disregard of the risk must be proven.

 (B) A person commits the offense of reckless endangerment if the person:

 (1) engages in conduct that recklessly places another person in danger of death or great bodily injury;

 (2) intentionally and recklessly discharges a firearm in a populated area or a residential area; or

 (3) unlawfully discharges a firearm from a motor vehicle in a manner that is likely to produce death or great bodily injury to another person.

 (C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than fifteen thousand dollars or imprisoned not more than fifteen years.

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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